THE HON'BLE SRI JUSTICE K.C.BHANU

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WRIT PETITION NO.21016 OF 2005

DT.26-07-2005

Between:

Sreenivasa Naik s/o Thippa Naik,

Aged 30 years, Occ: Fair Price Dealer,

R/o (v) Kondampally (M) Penukonda,

Dist.Ananthapur, A.P.

… Petitioner

A n d

The Revenue Divisional Officer,

Penukonda, Dist.Ananthapur, A.P. and another

… Respondents

THE HON'BLE SRI JUSTICE K.C.BHANU

–

WRIT PETITION NO.21016 OF 2005

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ORDER:

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The writ petition is filed seeking a mandamus to declare the action of the first respondent suspending the authorization of the petitioner to run fair price shop of village Kondampally by Procdgs. No.1288/05/C, dated 02-09-2005 without

conducting any enquiry and without furnishing enquiry reports, as illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies appearing for the respondents.

The learned counsel for the petitioner has contended that the respondents, without issuing any notice, furnishing the MRO reports and without conducting any enquiry, passed the impugned order. Challenging the same, the petitioner preferred an appeal before the Joint Collector and the same is pending and he prays to suspend the proceedings.

On the other hand, the learned Government Pleader for Civil Supplies appearing for the respondents has contended that it is only suspension, pending enquiry and that no notice is required to be given for the said purpose.

As seen from the impugned order, for certain irregularities said to have been committed by the petitioner his authorization for running the fair price shop was suspended, pending enquiry. The suspension does not adversely affect the right of the petitioner since no final order has been passed. In the circumstances, this Court is of the opinion that no notice need be given while suspending the authorization of the petitioner's fair price shop, pending enquiry.

Accordingly, the writ petition is disposed of directing the first respondent-Revenue Divisional Officer, Penukonda to complete the enquiry within a period of four weeks from the date of receipt of a copy of this order, without adverting to

the appeal pending before the Joint Collector, Ananthapur. No costs.

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26-09-2005.

Lrkm.